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C O N F I D E N T I A L SECTION 01 OF 03 KATHMANDU 000341

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TAGS: [PREL](#) [PGOV](#) [PTER](#) [UN](#) [NP](#)  
SUBJECT: U.S., UK, INDIA, AND UN DISCUSS CHALLENGES  
CONFRONTING THE POLICE

REF: KATHMANDU 03268

Classified By: Ambassador James F. Moriarty. Reasons 1.4 (b/d).

SUMMARY

1. (C) In a February 6 meeting with the Ambassador, UK Ambassador Hall, UN Mission in Nepal (UNMIN) head Ian Martin, and an Indian Embassy representative, a visiting UK security assessment team described the key challenges facing the police as: 1) the absence of public debate on public security and police reform; 2) lack of leadership within the Police and Home Ministry to catalyze needed reform efforts; 3) abysmally low morale among the police force; 4) misguided planning for security ahead of planned June 2007 elections; and 5) lack of police preparedness to address key security challenges. The UK team recommended the gathered Missions press for a scenario-based discussion to encourage Home Ministry and Police leadership to plan ahead for election security and issue necessary directives. The UK team also highlighted the need to balance short-term election security efforts with longer-term reform, and discussed how to influence the development of the forthcoming Police Act, promote a national-level committee on public safety/security to encourage public debate and explore expansion of community policing.

UK Security Assessment Team Shares Key Findings

2. (C) On February 6, a visiting UK security assessment team briefed Ambassador Moriarty, UK Ambassador Hall, the UN Secretary General's Personal Representative to Nepal Ian

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Martin, and the Indian Political Counselor on the team's findings following a week of consultations focused on police.

The UK team included former UK police advisor in Nepal Richard Miles, Roy Fleming from the Post-Conflict Reconstruction Unit of the UK Department for International Development (DFID), Andy McLean, DFID consultant, and Dr. Thapa, a retired Nepal Police (NP) officer. The UK team bemoaned the lack of public debate on police reform and on the role and responsibilities of the police in providing security for the planned June 2007 Constituent Assembly

elections. The team highlighted that the police officials they met with were focused on equipment requirements for the elections, citing NP requests for USD 100 million from donors for communication, transport, and infrastructure needs. The group agreed that there were more pressing challenges facing the police, such as the lack of directives from their civilian leadership, the absence of political will and low morale. Without addressing these factors, the team said, equipment spending would be wasted.

#### Leadership Lacking

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¶3. (C) The team reported a woeful lack of leadership in both the Home Ministry and the NP to reform the police force or muster the political will and planning for the police to deliver security for credible elections. Remarking that the Inspector General of Police appears to be a "strawman," Miles commented that the quality of personnel in senior police management positions since he left Nepal in 2004 had degraded, and many of the best officers had been pushed out and replaced by "duds." He commented that there were some good officers within the police at lower levels with the potential to be agents of change. However, they were paralyzed by the lack of political mandate from above. In addition to the problem of inadequate police and Home Ministry leadership, the team said Nepal also lacked the higher-level security and defense management apparatus, including an effective National Security Council, to push through reform and incorporate wider civilian and security leaders in the dialogue. Fleming said that the U.S., UK, UN, and India were best positioned to press the Home Ministry and NP leadership into action.

#### Rockbottom Morale, Rapid Recruitment Concerns

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¶4. (C) The team cited extremely low morale among the police, saying they had hit "rockbottom" and were not receiving the support they needed from civilian or NP leadership. Some police officials had told the team that, if individual Maoists applied to the police under the normal hiring process, they would be treated as normal recruits. Lower-level Maoists were viewed as "not too indoctrinated" and could be recruited. Other police officials were not keen to have Maoists join their ranks but were willing to consider using Maoists to temporarily provide additional surge support during the elections. The UK team also voiced concern over the police's plans to recruit an additional 5,000 to 7,000 officers ahead of the elections, citing the challenges this would pose for long-term police reform efforts, including ensuring diversity and necessary training.

#### On The Sidelines

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¶5. (C) The assembled envoys noted that, after months of being told by their leadership to stand-by in the face of Maoist crime, the police forces were loathe to be proactive. This apathy, Ambassador Moriarty stated, could be seen in the recent events in the Terai. Miles bemoaned the effect the police's lack of public order tactics and the absence of necessary training on proportionality and human rights had on the police's ability to perform their duties. Miles said it was typical for the police to use force as a first response in a crowd control setting and to obtain authority retroactively for use of force from the Chief District Officer (CDO). In the Nepalgunj protests in December, he said, the decision to fire was first made by a scared officer; authorization was signed by the CDO after the fact.

#### APF Should Merge with NP

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16. (C) When asked by Martin what the team learned regarding the Armed Police Force's mandate, UK team member and former Nepali Police (NP) officer Dr. Thapa said the APF should not continue to exist as a separate entity but rather become a special unit within the Nepal Police. The current separate structure, the UK team argued, created a lot of confusion because of independent reporting chains and a lack of on-the-ground coordination.

Recommendations: Short-term Election Security  
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17. (C) Ian Martin asked the team for specific recommendations in the short-term to promote security in the lead-up to elections, and referred to the UN police advisors that would be joining the UN Mission in Nepal (UNMIN). Fleming said that first and foremost Home Ministry and police leadership must be pressed to think hard about election security, plan ahead, realize the weight of the task, and issue necessary directives. The group discussed the possibility of convening the Home Ministry, Police, and potentially Election Commission leadership to have a dialogue and/or scenario-based discussion on election security. The police's current approach of requesting millions from donors in logistical supplies was hardly a plan. A scenario-based discussion might allow leaders to discuss worst-case outcomes and look ahead at effective ways to avoid them. Again, the UK team reiterated that if top leadership did not improve, lower-level investments and reform efforts would be wasted. The group also discussed the possibility of a joint message from the U.S., UK, UN and India to put collective pressure on the police to dissuade them from their rapid recruitment campaign. Finally, the UK team decried the lack of information from the capital to the districts regarding the election processes; local civilian and security officials were often in the dark. The UK security assessment team raised the need for dialogue between the police, political parties, and civilian leadership on the election process and their respective roles.

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Recommendations: Mid to Longer-term Reform Efforts  
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18. (C) The UK Ambassador reiterated the importance of balancing focus on short-term election security with mid- to longer-term police reform needs. The UK team said development of the Police Act should be emphasized since the Interim Parliament would likely enact it and the Act offered an opportunity to begin police reform. The Act would be central to addressing issues such as recruiting practices, ensuring an independent police service commission, and promoting a police code-of-conduct. Wide dialogue among civilian and security officials, as well as civil society on the Act, could jump-start public debate on police reform. The Deputy Attorney General had also asked the team for recommendations of individuals who could serve as advisors to develop the Act. (Note: Post will follow-up to see if DOJ/ICITAP police advisor Garrett Zimmon, currently at Post, could assist.)

19. (C) Roy Fleming, from DFID's Post-Conflict Reconstruction Unit, said that the gathered group should also explore the possibility of a national committee on public safety/security to begin the public debate on police reform. He referred to the committees set up by the Seven-Party Alliance and Maoists on other key issues, such as Army reform, and said that public safety/police must be similarly addressed. This committee, along with the Police Act, should also address, the Ambassador emphasized, how the proposed federal system in Nepal would impact police reform. Miles also highlighted the success of community policing efforts in Nepal, citing the wide praise for pilot projects. He said avenues should be explored on how to expand and institutionalize community policing nationally.

Comment

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¶10. (C) While the UK security assessment team's findings were not surprising, reiterating in large part our own conclusions on how to reform the police, the U.S.-UK-UN-India dialogue did offer the opportunity to brainstorm possible collaborative next steps on police reform. Collective messages will more likely have an impact in the face of paralyzed Home Ministry and Police leadership. We note the silence of the Indian political counselor. (The Indian Ambassador has reportedly returned to New Delhi because of illness). India seems at this point inclined to observe the multilateral security dialogue but not play an active role. We will continue to engage the GOI bilaterally on these issues. We will also look for ways to support the UK recommendation of a scenario-based discussion with key GON leaders to ensure the Police and Home Ministry understand the task of the election security project ahead. We will ensure as well that any short-term investments the U.S. makes to the police for election security, whenever possible, go beyond logistical support, dissuade rapid recruitment practices which are not inclusive, and lay the foundation for longer-term reform.

MORIARTY